



Docket No. Mirus.017.01

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **Gene Expression With Covalently Modified Polynucleotides**:
(check one)

- ☐ the specification filed herewith
☒ application serial no. **09/631,152** filed: **August 2, 2000**
☐ patent no. _____, issued

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

PRIORITY CLAIMED

N/A
(Number) (Country) (Day/Month/Year Filed)

☐ ☐
Yes No

N/A
(Number) (Country) (Day/Month/Year Filed)

☐ ☐
Yes No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)
60/146,824

(Filing Date)
August 2, 1999

(Status - Patented, Pending, or Abandoned)
Pending

(Application Serial No.)

(Filing Date)

(Status - Patented, Pending, or Abandoned)

I hereby appoint the following attorney(s) and/or agents, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Mark K. Johnson, Registration Number 35,909

Address all telephone calls to: Mark K. Johnson
262-821-5690

All correspondence to: Mark K. Johnson
P.O. Box 510644
New Berlin, WI 53131-0644

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF INVENTOR: Jon A. Wolff
INVENTOR'S SIGNATURE [Signature] DATE 11/1/00
RESIDENCE: Wisconsin
Citizenship: US Post Office Address: 1122 University Bay Drive, Madison, WI 53705

FULL NAME OF INVENTOR: Paul M. Statutory
INVENTOR'S SIGNATURE [Signature] DATE 11/3/00
RESIDENCE: Wisconsin
Citizenship: US Post Office Address: 4306 Keting Terrace, Madison, WI 53711

FULL NAME OF INVENTOR: James E. Hagstrom
INVENTOR'S SIGNATURE [Signature] DATE 11/3/00
RESIDENCE: Wisconsin
Citizenship: US Post Office Address: 4700 Bergamot Way, Middleton, WI 53562

FULL NAME OF INVENTOR: Vladimir G. Budker
INVENTOR'S SIGNATURE [Signature] DATE 11/3/00
RESIDENCE: Wisconsin
Citizenship: US Post Office Address: 5141 Sunrise Ridge Tr., Middleton, WI 53562



#3

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN **Mirus Corporation**

ADDRESS OF CONCERN 505 South Rosa Road, Madison, WI 53719, U.S.A.

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §121.3-18, and reproduced in 37 C.F.R. §1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **Gene Expression With Covalently Modified Polynucleotides**.

by inventor(s) **Jon A. Wolff, James E. Hagstrom, Paul M. Slattum and Vladimir G. Budker** described in

- ☐ the specification filed herewith
☒ application serial no. **09/631,152** filed: **August 2, 2000**
☐ patent no. _____, issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor(s), who would not qualify as an independent inventor under 37 C.F.R. §1.9(c) if that person made the invention or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 C.F.R. §1.27).

FULL NAME OF INVENTOR Jon A. Wolff

ADDRESS: 1122 University Bay Drive, Madison, WI 53705

☒ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

FULL NAME OF INVENTOR James E. Hagstrom

ADDRESS: 4700 Bergamot Way, Middleton, WI 53562

☒ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

FULL NAME OF INVENTOR Paul M. Slattum

ADDRESS: 4306 Keting Terrace, Madison, WI 53711

☒ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

FULL NAME OF INVENTOR Vladimir G. Budker

ADDRESS: 5141 Sunrise Ridge Tr., Middleton, WI 53562

☒ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING James E. Hagstrom

TITLE OF PERSON OTHER THAN OWNER Director of Science

ADDRESS OF PERSON SIGNING 4700 Bergamot Way, Middleton, WI 53562

SIGNATURE

James E. Hagstrom

DATE

11/3/00

Applicant or Patentee: **James E. Hagstrom**



Serial or Patent No.: **09/631,152**

Filed or Issued: **August 2, 2000**

For: **Gene Expression With Covalently Modified Polynucleotides**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§1.9(f) and 1.27(d)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. §1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled: **Gene Expression With Covalently Modified Polynucleotides** described in

- ☐ the specification filed herewith
- ☒ application serial no. **09/631,152** filed: **August 2, 2000**
- ☐ patent no. _____, issued

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. §1.9(c) if that person had made in the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization
- ☒ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities (37 C.F.R. §1.27).

FULL NAME Mirus Corporation

ADDRESS 505 South Rosa Road, Madison, WI 53719

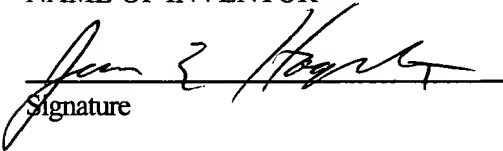
☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

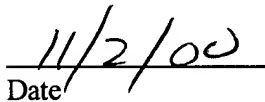
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

James E. Hagstrom

NAME OF INVENTOR


Signature


Date

Applicant or Patentee: **Jon A. Wolff**

Serial or Patent No.: **09/631,152**

Filed or Issued: **August 2, 2000**

For: **Gene Expression With Covalently Modified Polynucleotides**



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§1.9(f) and 1.27(d)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. §1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled: **Gene Expression With Covalently Modified Polynucleotides** described in

- ☐ the specification filed herewith
- ☒ application serial no. **09/631,152** filed: **August 2, 2000**
- ☐ patent no. _____, issued

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. §1.9(c) if that person had made in the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization
- ☒ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities (37 C.F.R. §1.27).

FULL NAME Mirus Corporation

ADDRESS 505 South Rosa Road, Madison, WI 53719

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Jon A. Wolff

NAME OF INVENTOR

Signature

Date

Applicant or Patentee: **Paul M. Slattum**

Serial or Patent No.: **09/631,152**

Filed or Issued: **August 2, 2000**

For: **Gene Expression With Covalently Modified Polynucleotides**



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§1.9(f) and 1.27(d)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. §1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled: **Gene Expression With Covalently Modified Polynucleotides** described in

- ☐ the specification filed herewith
- ☒ application serial no. **09/631,152** filed: **August 2, 2000**
- ☐ patent no. _____, issued

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. §1.9(c) if that person had made in the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization
- ☒ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities (37 C.F.R. §11.27).

FULL NAME Mirus Corporation

ADDRESS 505 South Rosa Road, Madison, WI 53719

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Paul M. Slattum

NAME OF INVENTOR

Paul M. Slattum

Signature

11/2/00

Date

Applicant or Patentee: **Vladimir Budker**

Serial or Patent No.: **09/631,152**

Filed or Issued: **August 2, 2000**

For: **Gene Expression With Covalently Modified Polynucleotides**



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§1.9(f) and 1.27(d)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. §1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled: **Gene Expression With Covalently Modified Polynucleotides** described in

- ☐ the specification filed herewith
- ☒ application serial no. **09/631,152** filed: **August 2, 2000**
- ☐ patent no. _____, issued

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. §1.9(c) if that person had made in the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization
- ☒ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities (37 C.F.R. §11.27).

FULL NAME Mirus Corporation

ADDRESS 505 South Rosa Road, Madison, WI 53719

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Vladimir Budker

NAME OF INVENTOR

V. Budker
Signature

11/3/00
Date